

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

NORTH AMERICAN COMPANY FOR
LIFE AND HEALTH INSURANCE,

Plaintiff,

v.
ASTIKA LATA,

Defendant.

No. 2:23-cv-00574-KJN

ORDER

Plaintiff filed an amended motion for default judgment against defendant on November 14, 2023. (ECF No. 16.) The matter is set for hearing on January 2, 2024. Pursuant to Local Rule 230(c), defendants were required to file an opposition or statement of non-opposition to the motion no later than fourteen (14) days after the filing date of the motion, i.e., November 28, 2023. Although that deadline has passed, no opposition or statement of non-opposition has been filed.

Out of an abundance of caution, and in light of the court's desire to resolve the action on the merits, the court provides defendant one additional, final opportunity to oppose the motion.

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ORDER

Accordingly, IT IS HEREBY ORDERED that:

1. The January 2, 2024 hearing on plaintiff's amended motion for default judgment is VACATED. The court takes this matter under submission on the papers without oral argument, pursuant to Local Rule 230(g). The court will reschedule a hearing at a future date, if necessary;
2. Any opposition by defendant shall be filed no later than December 19, 2023, and the reply brief(s) from plaintiff, if any, are due December 26, 2023;
3. Defendant is cautioned that failure to respond to the motion in compliance with this order will be deemed as consent to a summary grant of the motion, and may result in the imposition of a default judgment against them; and
4. Plaintiff shall promptly serve a copy of this order on defendant at his/her last-known addresses, and file proofs of service.

Dated: December 6, 2023

lata.0574

Kendall J. Newman
KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE